President’s Message
by Tim W. Woosley

FLSA Hearings set for U.S. Ranger Alliance
I have received notice that the hearings to determine whether the U.S. Ranger Alliance is an appropriate unit have been scheduled to begin January 14th. At the hearing we will introduce evidence to support our position that the unit meets all the tests and requirements of a bargaining unit. Through direct testimony and exhibits we will show that the unit meets the following tests:

1. The unit ensures a clear and identifiable community of interest among employees in the unit.
2. The unit will promote effective dealings with the agency.
3. The unit will promote efficiency of the operations of the agency.

There are three challenges to the appropriateness of the unit which were presented by the Park Service. Those challenges are:

1. The numbers used to calculate the show of interest were deficient.
2. There is not a clear community of interest and a nationwide unit would not promote effective dealings with, and efficiency of, operations of the Agency.
3. The persons in the described unit are barred from collective bargaining because they are “engaged in intelligence, counterintelligence, investigative, or security work which directly affects national security” because we "play a significant role in drug interdiction and enforcement efforts aimed at detecting and eradicating the cultivation of illegal drugs on federal property."

We will also be determining whether or not those rangers in parks with existing bargaining units will be able to join the Alliance. We will have to show, by testimony, that the persons in these units did not receive adequate representation. This may be the most difficult part of the hearings. I say that, based not on the actual circumstances, but by how hard these unions—those unions—will fight. These are large unions with lots of money.

This is also an issue separate from the appropriateness of the Alliance as a bargaining unit. The unit must be deemed appropriate before we can deal with the issue of eligibility. If we are deemed an appropriate unit we will need to bring in rangers from these parks to testify as to why their current union is not representing them adequately. The Alliance would pay the expenses for these folks to come to D.C. and, according to 7131 of the FLRA statute, these folks would, if deemed necessary by the Hearing Officer, attend on official time. This means that you won’t have to take A/L.

George Morris, the Chief of Employee and Labor Relations, has retired. To date we do not know who will be replacing him or if the Park Service will carry out its challenges. Regardless, we are ready to proceed and, ultimately, WIN.

Federal Heart and Lung Bill
The FOP Federal Coalition has developed a “Heart and Lung Bill.” This bill states, in essence, that: “any Federal firefighter... GS0025 Park Ranger... GS1811 Criminal Investigator... or any Federal Officer assigned as a range master...who dies from or is disabled due to respiratory disease, hypertension or heart disease, Leukemia, pancreatic, prostate, rectal, or throat cancer it shall be presumed that such illness were occupational.” We have successfully petitioned the Grand Lodge to add this bill to their national legislative agenda. Now that elections are over we will be working towards finding sponsors for this very important bill. If you have pro-Federal worker and/or pro law enforcement members of Congress in your state please pass their names on to the lodge and we will contact them.

Sigs
There has been yet another change in order procedures for weapons. Sig is now requiring each person to sign an affidavit certifying they are an LEO, will not sell or trade the weapon being purchased, etc. Anyone wishing to order will be required to sign and return the affidavit with their order.

The Grand Lodge of the FOP had recently put out a safety alert on certain Sigs which they say have been deemed unsafe. The alert came out as a result of an accidental discharge which involved a Chicago PD officer. The safety alert basically said that no department should purchase Sigs until the
problem was corrected, I contacted Sig and Joe Johnson at FLETC. Sig relayed that the accidental discharge was due to operator error and that they were not recalling or modifying any weapons. There has been no other documented recurrence of the problem and FLETC will continue issuing Sigs.

There are now enough P-228's to begin issuing them to seasonals on a Service-wide basis. We anticipate that there will be resistance from some parks on this. You can guess the excuses. Once the weapons start coming out, we will need to monitor the progress. If your park doesn't allow you, as a seasonal, to carry a semi-auto let us know immediately.

Third USPP Captain in Inter-Mountain Field Area
We are continuing to monitor this situation. I have written Deputy Director Denny Galvin and expressed our concerns on this matter. To date I have not received a reply. Obviously we are concerned about yet another high level law enforcement position going to the USPP. We have more than enough qualified persons within the Ranger force to fill this position. The proposal also comes at a time when a special task force is looking at staffing levels in Central Offices to determine if there is/isn't adequate staff to provide law enforcement services. High level managers in the IMFA are pushing very hard to fill this position even though the task group has yet to release its findings.

FOP Federal Officers Coalition
The Federal Coalition will be putting on the third annual Federal Officer's Weekend sometime after the first of the year. Seminars dealing with such issues as 6(c) retirement, collective bargaining, off-duty carry of weapons by Federal Officers, etc. will be presented. I will let everyone know when the date and location is finalized.

National Biennial Conference
The 53rd National Conference date has been set for August 3-8 in Orlando, FL.

Is it time to renew your membership? Please check your address label. Thanks!

Cultural Diversity and Women's Issues
by Ed Clark, VP
Internal Affairs

In the last couple of months the Lodge has received calls for help from a number of women facing workplace discrimination (also see letter and article from Helen Phillips). These, coupled with ongoing discussions with various female rangers regarding problems women face in our profession have prompted us to consider how we can address these issues.

Like it or not, both blatant and more subtle forms of discrimination exist in our workforce.

In the past, rangering has been an all male profession. Only in recent years have we begun to see increasing numbers of women. Actually, this is part of a larger problem in Cultural Diversity. Rangering has been not only all male, but mostly white male all these years. This is not a matter of discrimination on the part of the NPS but, rather, a reflection of society as a whole and the fact that the outdoors lifestyle of the ranger has traditionally appealed to that group.

This has resulted in two problems: recruitment and retention. Assuming we select people who are qualified to do the job, it's not enough to hire new rangers in culturally diverse proportions. We want them to stay with us and have a satisfying and productive career.

In the area of recruitment, we have to choose people who relate to the lifestyle of a ranger. For this, we need only look at where our rangers have traditionally come from and be creative in finding similar places that have women and people of color. If we can attract people who are already committed to the lifestyle we live, they will have a higher probability of being successful and a start on the skills necessary to do the job.

The issue of retention is related but more complex. Like it or not, both blatant and more subtle forms of discrimination exist, even in our more enlightened workforce. Despite our education and high ideals, we rangers are still a reflection of the society we come from. If we had a culturally diverse workforce, all of whom shared common interests and goals, the problem would be simplified. We don't, though, and our Lodge has brothers and sisters out there who are struggling to fit in.

We feel that as a Lodge we should take the lead in issues of this sort. When some of us are hurting, we all are. The key is understanding--that can only be achieved through access to new information and open discussion within the group.

As such, we propose to form two new committees within the Lodge. The first will be a Women's Issues Committee. The second a Cultural Diversity Committee. While both share common problems, there is a need to have them separate. Achieving Cultural Diversity brings with it a set of problems and solutions regarding race and cultural differences. Gender based discrimination is a problem that crosses racial/cultural boundaries and, as such, deserves separate consideration. In addition, many of the problems women face as rangers are not ones of discrimination. They also have problems that are size/physiology related in areas of fitness, defensive tactics, uniforms, equipment etc.

Deborah Girard, of Delaware Water Gap NRA, will be the Lodge's Chairperson of the Women's Issues Committee. Besides being a field ranger (CARL, DEWA, FEVER, BIBE, BICY, DEWA), Deborah is an Instructor Trainer in Moving Water Rescue for NASA, and the Pennsylvania Fish and Boat Commission. She is also a Tactical Ground Fighting Instructor Trainee through Modern Warrior Defensive Tactics Institute, a former NRA Firearms Instructor and a member of National Center For Women and Policing.

Anyone interested in being a member of the committee or those who wish to communicate with it should contact her at home: 717-296-7408; RR-1 Box 387, Raymondskill Road, Milford, Pa. 18337.
Anyone interested in Chairing or being a member of the Cultural Diversity Committee should contact Ed Clark at home: 610-296-7408, or via e-mail EDCLARK50@aol.com.

Let's remember that we are a fraternal organization and work together to make our profession and our workplace the best it can be.

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**Some First-hand Suggestions on Gender Discrimination and the EO Process**
by Helen Phillips, Blue Ridge, Women's Issues Committee

If you believe you have experienced gender discrimination while working for the National Park Service, one route for resolution is an EEO (Equal Employment Opportunity) action. The information in this article is not meant as an introduction to the EEO process or an evaluation of the pros and cons of seeking improvement of your work environment through an EEO action. Rather, the information contained here is intended to reach out to anyone experiencing gender discrimination. We want you to know you are not alone. We are providing some suggestions on undergoing the EEO process that stem from first-hand experience. We hope you will find them useful. We hope you will contact some of the suggested resources for further help, and also to give us an idea of the extent of gender discrimination throughout the Park Service.

Please share this information with NPS employees who are not law enforcement officers.

I outline the following topics:

♦ You can ask for $300,000.00 in damages.
♦ Hire a lawyer now.
♦ The entire history of your situation, not just past 45 days, can be included.
♦ Let someone else know what is happening to you.
♦ Who you can contact for assistance.
♦ Future information.
♦ Women & Policing Conference

If you file an EO action, know that you can request, as one of the suggested remedies, up to $300,000.00 in damages.

You may not be told this, possibly ever, by the EEO folks. A case in point is my own. I went through my first two informal resolution processes with a great EO counselor, appealed the second resolution through the regional office, and was at the point of a hearing before I learned of it. During the first informal resolution process, I was told that the remedy I suggested—the one that seemed logical to me—was not possible. I asked what was possible. I was provided a document entitled "Full Relief." One would think that a document entitled "Full Relief" would cover all the bases. However, nothing in that document mentions financial compensation for anything other than, for instance, situations such as when a promotion was wrongfully denied and back-pay is restored. No other type of financial compensation was mentioned. In fact, the document says there is none. No one told me about it either. I learned about it at the time of the hearing because that was when I hired a lawyer. My lawyer, not any of the EEO folks, told me about it. For that and other reasons, the next consideration I offer you is:

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**We want you to know you are not alone.**

Hire a good lawyer experienced in handling gender and/or work discrimination suits before you ever talk to an EO Counselor the first time.

Do you get the idea I believe this to be an important point? I hope so; it is. Why? You are going to learn from a lawyer what you are really in for when you initiate the EO process, far more than from an EO counselor or from the stupendous amount of paper you will receive about the EO process once you file. A lawyer will tell you whether or not you have good evidence to support your claim should you go to court or reach the point of needing to impress the NPS lawyers during a negotiating process. The stronger your case, the less cost you are likely to incur.

And, if you go to the EO counselor with a lawyer at your side, (1) you will not say anything in such a way as to cause you problems down the road and will say everything you need to say at that time to prevent those problems and, (2) you will leave no one—the EO counselor, the regional EO officer to whom your EO counselor reports everything, perhaps most importantly your Park's management unit—in any doubt that you are serious. If they take you and the situation seriously from the start, my prediction is you will get better action sooner (thus at less cost to you, too).

My advice from my experience is not to put your faith and trust in the EO process to work for your benefit of its own accord. Many women, not just me, have their EO actions languish for what seems an interminable time once the case reaches the Washington level. I'm talking about good cases.

In addition, you can include past instances of discrimination that occurred prior to the 45-day limit set by the EO process.

If you are a woman facing gender discrimination, you may have done as other women have: put up with it for many months or even years before you decided there was no recourse other than initiate an EO action. You will likely be told by your EO counselor, and will likely deduce from the paperwork provided you, that you can not include anything that happened prior to the 45 days on which you filed. That's not necessarily true. Your lawyer will know how.

Let Someone Else Know What Is Happening to You

Don't go through this alone. You don't have to. You will benefit psychologically as well as in terms of developing your strategy for approaching your lawyer and the EO process. You will also learn from others who have been through similar experiences and others will learn from your experience.

This works the other way, too. Others will benefit from knowledge of what is happening to you. For instance, there is a private, non-profit agency that, among its other functions, keeps tabs on women's gender discrimination in all types of law enforcement agencies throughout the United
States. They can not only steer you to good resources, but will appreciate being made aware of your situation.

Sources to Contact
Of many available, here are four resources:

1) Call the FOP Park Rangers Lodge number: 1-800-407-8295. Our FOP is willing to serve as a collection point for what's happening throughout the NPS in gender discrimination. You can let the FOP know what's happening to you and be put in touch with other rangers who are confronting the issue.

2) You can also contact Deborah Girard, the new Chair of the Lodge Women's Issues Committee, at 717-296-7408.

3) Phone me, Helen Phillips. I have my own experience that might help you, and I am in touch with some other women in the NPS who have experience on this issue. I'm providing my home number because my answering machine there is the likeliest way to reach me, because all calls there will be private, and because that way no one has to worry about this involving inappropriate use of NPS time. My phone number is 704 963 4802. I can be e-mailed at: hlphillips@InfoAve.Net. Or you can mail me through the post at: 4450 Shulls Mill Rd., Blowing Rock, NC 28605.

Some of you may fear repercussions to your career if you "go public" with your situation, so let me assure you that anything you tell me will be kept confidential, unless you choose otherwise. (the same applies to the FOP number, of course--ed.)

4) Contact the National Center for Women and Policing, a private, non-profit group in California. They have a list of lawyers in various states whose specialties are gender or work discrimination. They can put you in touch with other women in your state who are taking actions against their agencies. They'll let you know about helpful conferences and other resources. Penny Harrington is the president. Her phone number is (213) 651-2532. Her e-mail address is: womencops@AOL.com.

Future Information
In addition to easing people through the EEO process, we are working in a more positive vein to ensure equality of gender in the work place. We happen to be female law enforcement officers working as park rangers for the National Park Service, and also members of the FOP. We have found each other that way. Thus, the future issues we are looking to address include working to obtain more effective training for law enforcement officers who are not large male body types and, similarly, working to obtain more effective equipment for law enforcement officers who are not large male body types. Role models for LEOs within the Service have traditionally been white males, which leaves those of us who are not with few examples of successful careers, or a network to mentor us into successful careers.

Conference
The National Center for Women and Policing is hosting a conference March 8-11 in Anaheim, CA. This is a great opportunity to learn from others' experience and would also provide us an opportunity to meet and discuss our experiences within the Park Service. If you talk with Penny Harrington of that agency, you will also learn that women in law enforcement throughout the country are involved in gender discrimination based legal actions against their agencies. Talk to us about attending.

TWA Flight 800, A Personal Reflection
by Richard Stavdal, Fire Island

Officially, TWA flight 800 went down 10 miles south of the eastern end of Fire Island sometime around 8:20 PM on July 17, 1996. Confirmation of this disaster and the request for assistance from the US Coast Guard was posted around 9 PM. Many Long Islanders, including myself, were unaware of these events as we were enjoying a warm summer night at home with family. It was not until 10 PM when watching the evening news that my life would change. Not just my life, but the lives of so many co-workers and other emergency responders.

Upon hearing the news, my first reaction was to monitor the US Coast Guard Channels for more information—and the information was graphic. Switching to the park frequency revealed park vessels being mission readied at FIS HQ. I volunteered to assist. By 11:40 PM the first park vessel reached the crash site.

Our vessel was assigned a search grid in the SSW sector of the debris field under a US Coast Guard unified command structure. A second vessel was on route from FIS HQ and arrived at about 1:15 AM to join the search. Five miles out from the crash site the magnitude of the disaster was evident. Blue strobe lights, Air Guard aircraft dropping parachute flares, burning jet fuel and wreckage came into view. Fifty to sixty official and private vessels were already on scene providing assistance. As our vessel entered the debris field, total devastation was apparent and the hope of finding any survivors was out of the question. This was quickly confirmed by radio traffic about the need for body bags. Slicks of jet fuel fouled the air and burned your nose and throat. The calm ocean was littered with the flotsam of the tragedy: luggage, paper, seat cushions, food wrappers, insulation, footwear, in-flight movie bags and small sections of aircraft were everywhere.

The sight of vessel after vessel returning with victims will always be etched in our minds.

By dawn three victims were recovered from the debris field by Park Service personnel. The emergency operations center for the TWA 800 disaster was established at the East Moriches Coast Guard Station. All response vessels were processed soon after arrival. Resources on hand that morning consisted of NTSB investigators, FBI, USCG, Suffolk County Police Dept., Suffolk County Coroner's Office, Red Cross CID teams, New York State Troopers, New York State ECON Police, haz mat decontamination ops, local EMS and others too numerous to list. For most of my co-workers including myself, the site of mass disaster victim processing was the most stressful. The sight of vessel after vessel returning with victims will always be etched in our minds.

Almost immediately, coordination of the recovery effort was taken over by the U.S. Navy. The transport of wreckage required the use of a shallow draft vessel to negotiate
Moriches Bay and inlet. FIIS supplied the use of a Seabreeze--a 60 ft barge constructed by the FIIS maintenance division to operate in shallow bay systems. Within days shoreline recovery of debris started and was coordinated by local authorities. FIIS rangers bagged and tagged dozens of items as evidence for an investigation that has yet to yield what brought down TWA flight 800, resulting in the loss of 230 lives.

6(c) Update: Last Chance to File
by Dan Kirschner

WASO-RAD has announced one last chance for rangers to file for 6(c) past coverage. If you failed to file, and have not yet received instructions from your Park, contact your Chief Ranger. Claims must be submitted in the first week of January of 1997. If your Chief Ranger doesn't have the information, call Bill Sanders at WASO or call the Lodge 800 phone number. We can't stress enough the importance of filing on time.

The process is basically still the same: gather up your PD's, affidavits, SF-50's, work chronology, etc. Get with your Chief Ranger or his/her designee to insure that you have provided all requested information, and submit your claim as described in the packet.

Thanks to all the folks at WASO-RAD for making this opportunity available so that we can finally resolve the 6(c) issue!

Lodge Helps USFS LEOs Obtain 6(c) Back Pay

We received a letter from U. S. Forest Service LEO, Mary-Pat King, expressing gratitude for our assistance in obtaining 6(c) back pay. Her October 22, 1996 letter read, in part: "...thank you again for sending me information about the LE Pay Reform Act. I took what you sent me and excerpts from the FOP newsletter and wrote up a synopsis and justification for the LE Pay back pay to 1/92...and sent it to my forest's union (NFPE), and joined (the union). They shot it up to Washington where they were having a partnership meeting with the USFS. The USFS was apparently convinced right away!...We just got a message today that the National Finance Office developed a computer program to pay us all our Back pay. (They said they were going to run some tests on the program first and then use it to pay us). Anyway, thank you again for your help! You've helped ALL of the USFS LEO's get their back pay!"

FLSA Update
WASO is still working on our request for a review of the FLSA designation for GS-9 and GS-11 law enforcement rangers. On 11/20/96 we were advised that WASO Personnel is now looking at the 9's. (We hoped that their review would include the 11's, but it appears they are doing the 9's first.) We have offered our services to WASO Personnel in their investigation of this issue.

We realize that the delay in resolving this issue is very frustrating, but the Board thanks that we can best achieve our goals through informal negotiation. Also, we are firm believers in partnering and think that our display of patience has shown WASO that we will be fair in all negotiations.

We also realize that rents have gone up a lot, and we promise to stay with this issue until it is resolved!

Good Faith

Good faith is both good management and a legal requirement. In the absence of good management, employees in most sectors can require management legally to act in "good faith." In other words, they can be required to behave responsibly. Since park rangers are fortunately situated in a sector where we can compel the management of the National Park Service to sit down and negotiate with us in good faith, we have a choice. We have to answer the question--each and every active ranger--are we satisfied with NPS management's behavior towards us or would we like to put our relationship into a formal arrangement?

One way to approach the subject is to look to ranger/management relations from an historical perspective. How have rangers been treated throughout the years? Have we received the training, equipment and institutional backing to do our jobs? Has our compensation package been equal to our importance to the agency? Have improvements come from management actively seeking out better ways to do the job or have improvements only come through ranger led and initiated efforts?

I think the answer is simple and obvious: Management has kept park rangers the poorest paid, led, and equipped federal law enforcement officers while coincidentally undercutting those very improvements. At the same time rangers were inadequately paid and equipped, managers in the NPS were granting themselves raises in grades--massive grade creep--and padding their numbers in the regions, at WASO, and in park headquarters at the expense of park rangers and park maintenance workers.

Have we received the training, equipment and institutional backing to do our jobs?

In 1962--to pick a year a generation or so ago--the basic grade of a non-supervisory ranger was GS-7. Many seasonal rangers who worked less than six months or less were subject-to-furlough; they were in the pension system. Ten years later, management conspired to lower the basic grade to rangers (so called park technicians) to GS-5 and completely eliminated STF status for seasonals. NPS also capped seasonal grades at GS-5 even though they had GS-6 and a few GS-7 seasonal rangers. During this same period, grades of park superintendents were going from GS-11 and GS-12, to 14s and 15s and, in a few years, to SES grades for the largest parks.

This was the situation when we began to organize into the National Alliance of Park Rangers and Firefighters, and the Fraternal Order of Police. Rangers became able to fight for basic common sense equipment (that management of other LE agencies provided proactively) like ballistic vests and Hepatitis B immunizations.

Management could have granted rangers 6(c) status in 1975 when the legislation detailing NPS law enforcement responsibility was promulgated. It would have been easy, and it surely would have been right, to recognize the LE work of
rangers. After all, LE guidelines were in effect from 1953 and 1961; former NPS director Hartzog stated in an official policy memo that, "park rangers are the police force of the national parks", and most of us were wild land and building firefighters, a job in itself properly classifiable as 6(c) covered.

Management instead chose to fight, at every turn, our gaining 6(c) even to the extent of discouraging employees from applying for past 6(c) credit (see Regional Director Howard Chapman’s sworn testimony in the McLaren case), and apparently reclassifying out of 6(c) those persistent enough to win on their own.

Six years ago, an NPS maintenance worker named Hudson suddenly died on the job in DC. Although he had worked for eight years, he had no pension and health benefits. His family was left in dire straits without enough to provide for the funeral and near-term living expenses. Congress was shocked that such a situation could be allowed to exist and legislation was passed attempting to correct this. It was the intent of Congress that no federal worker who worked year after year would be left without health and pension benefits.

Did the NPS live up to this simple mandate? The answer is an obvious NO. Using a loop hole in regulation, managers cut back temporary employment to six months TO AVOID paying health and pension benefits, the exact opposite of Congressional intent. There are brothers and sisters in the Lodge who have worked 5, 10, and even 25 years and are still without health and pension benefits. Congress has made it plain to federal agencies that this is not to be tolerated, but managers have conspired to make a bad situation worse by cutting down the yearly days worked while still denying basic benefits.

Management has also been scheming to ignore the qualifications of long term seasonals and to bring in unqualified or lesser qualified individuals as part of an unjustified “quota system.” If rangers had a national contract, any and all “intake” systems are negotiable and we would ensure that temporary rangers be given credit for knowledge and skills learned on the job. The Customs agency union won this and we should follow their lead.

There is a little matter of regional officials and superintendents blaming the rangers’ pay raises and 6(c) benefits and “bustin’ the budget” to quote a current superintendent. We have also heard from Ranger Activities Division that the FOP is in danger of being viewed as greedy malcontents for insisting on improving working conditions and compensation. This is self-serving baloney on their part and rangers should be wary of buying into such obvious misinformation. Ranger staffs in old line parks have either remained static or have shrank over the past 25 years. Regional and park HQ staffs have approximately doubled. (I am counting so-called cluster offices as part of the regional complexes.) Twenty plus years after the Alaska parks were created, there still is lacking a sufficient ranger staff permanently (and adequately) housed in most of these parks; yet, we have witnessed a proliferation of staffers in park and regional offices that have little or nothing to do with the day to day operation of our parks.

Reinvented government was supposed to mean cutting under performing layers of staff and management and beefing up those who actually do the work. In the case of the NPS, that would mean eliminating the non-line staff in park headquarters and the regional offices and hiring more rangers an maintenance workers. The NPS seems to have spent a lot of money shifting excess staff in regions to a different geographical locations where they, of course, remain unproductive. I am not aware of large scale hiring of permanent rangers and maintenance workers. Are you?

In the words of Mort Sahl, NPS management fits the definition of a progressive conservative; that’s one who stumbles forward every time somebody shoves him. Rangers can’t afford to fight one battle at a time any longer. Since management won’t show good faith in the civil sense, we must realize it is in our interest to compel good faith in the legal sense. Once we have a national contract, management will be compelled to both sit down and bargain in good faith and abide by decisions of the Federal Impasse Panel when they don’t. We’re serious about enforcing the laws in our parks and protecting the national and natural resources. That too will be improved with a formation of a bargaining unit.

A recent example of what we consider lack of good faith on the part of NPS management came when they refused to recognize LE rangers of having a community of interest to form a bargaining unit. Management said that we cannot have a national contract because of national security concerns stemming from our involvement in enforcing the nation’s drug laws. The NPS ignored the fact that Customs and the Border Patrol, to name but two examples, work in this field as much or more than we do and have been represented for years. President Clinton has called for greater cooperation between managers in the federal sector and the unions but the NPS has chosen to take whatever steps it deems necessary to prevent their highest profile group of employees from working under a national contract. Do you think this behavior displays good faith?

Rangers owe it to themselves to have a voice in our professional lives and that can only come through a national contract. It will take hard work even with good faith on management’s part; but being rangers, we’ve used to it and we will leave the parks in much better shape for having done so.

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**Budget Bandwagons and Relocation Expenses**

by Sandra Lynn Knight, Independence

In these tight budget times, it has become necessary for managers to look for ways to cut costs, and rightly so. Unfortunately, however valid that need becomes, it should be remembered that the pockets of park rangers are still shallow indeed, and that civil service pay is complimented by certain entitlements which were meant to translate into a dollar value. While looking for legitimate waste and misdirection of precious dollars, some managers have also jumped on one of the first money saving bandwagons that came rolling by.

One such “budget bandwagon” seems to be the ever sweeping practice of denying the transferring expenses of relocating rangers. By cutting hard earned and desperately needed entitlements of rangers, these managers have underscored their priorities...
in an alarming way. Likewise, as jobs and the budget get tighter, managers seem to be saying, "if you want the job badly enough you will be willing to pay your transfer costs to get it." You may be familiar with this “bandwagon” or like me, you may have already been run over by it.

By cutting hard earned entitlements of rangers, managers have underscored their priorities in an alarming way.

Consequently, as “bandwagons” go, they are often knee-jerk solutions to problems or situations which call for more deliberate solutions, and they usually do not hold up over rocky terrain. Fortunately, this may be the case with the relocation expenses issue, as I have learned through recent experience. After relocating cross-country to the tune of five thousand dollars nearly a year ago, I have discovered that absent any unethical principles for the denial, denying relocation expenses may be permissible; however, only if certain constraints are met. A copy of a cc:Mail message sent to me about a month ago by a fellow NPS employee confirmed that, at the very least, the vacancy announcement must clearly state that relocation expenses will not be paid.

Unfortunately, there are no clear and further guidelines as to exactly what these other constraints are, so many managers are making up their own rules as they go along. Since there is obvious confusion around the issue to pay or not to pay, rangers owe it to themselves to question the legitimacy of this increasingly common practice.

So where do we go from here? The good news is that there is recourse available to you if you believe the circumstances around your self-funded relocation to be unfair or questionable. The Board of Contract Appeals now adjudicates any such decisions that involve pay or monetary entitlements. All you must do is simply contact them via a brief letter describing the circumstances of your situation and request to file a claim. They will review your request and advise you as to whether you have a claim and how to file. Once the claim has been filed, a judge will be assigned and they will contact your agency and notify them of the claim. Your agency will have 30 days to respond. You’ll be notified of the agency’s response and be given 10 days to make any additional comments before the judge makes a ruling. However, as was the case in my claim, the agency and the claimant may reach a favorable settlement before official adjudication, and the claim may be withdrawn.

The bottom line is this: if you have any question about the circumstances in which your relocation expenses were denied, there is recourse available to you. By filing a claim with the Board of Contract Appeals, you will have the benefit of an objective third party decision and possibly a case precedent which might clear up some of the confusion around this issue for all of us. Good Luck!

Board of Contract Appeals
General Services Administration
Washington, D.C. 20405

Secretary’s Report
by Randall Kendrick

Elections
The following Lodge members have been nominated for Lodge offices:

President: Tim Woosley
Vice Pres.(External): Dan Kirschner
Vice Pres. (Internal): Ed Clark
Secretary: Randall Kendrick
Treasurer: Tony Macri, Valley Forge Guard: George Durkee

No other nominations were received.

Brother Joe Hayes, Lake Mead, has accepted a one year appointment as Lodge Trustee. An election for a two year term will be held this time next year. Joe served the old Eastern Rangers Lodge as trustee a number of years ago and we all should be appreciative that he is willing to once again serve the membership in this capacity.

Queries from Members
Two questions have arisen that we submitted to our law firm of Passman & Kaplan:

1. Can 6(c) help you get above the OPM ceiling of 80% of high three for the purposes of your annuity.

The answer to that one is No.

2. What happens to you under 6(c) if you have 19 years of coverage, for example, and you become disabled and cannot continue in LE work? Mr. Passman said that he will research this important question and we will print the answer in the next Protection Ranger.

Our road to the national contract is approaching the bargaining interstate. Unfortunately, it’s a toll road: we have to pay to ride. What we have to pay for are members’ travel expenses to Washington to testify at the hearings and our law firm’s salaries and expenses. Management has placed roadblocks in our path and your donations will clear the road. Please contribute now to the US Ranger Alliance Fund. We know it’s Christmas season, but this year give your professional life a big present with your donation to the USRA Fund. This will be the best thing you can do for your future. Make your check to: Fraternal Order of Police; US Ranger Alliance Fund. Mail to: F.O.P., PO Box 151, Fancy Gap, VA 24328. Thanks!
The Resource Protection Ranger
by Bob Martin, President of the National Park Rangers Resource Protection Fund

Some Observations
Our agency has begun to better prepare our ranger workforce for our resource protection missions. This has come in the form of national and regional resource protection courses and the creation of Special Agents and Criminal Investigator positions, many of which are focusing increasing amounts of time on resource protection matters. Some from within these ranks are also specializing in various aspects of resources protection, such as SA Pat Buccello’s excellent work in ARPA and Paleontological resource protection.

Through strategic plans, GPRA (the Government Performance and Review Act) and even in protection ranger position description, the agency is also telling NPS managers that resource protection is a top priority.

The NPRPF, FOP, ANPR and other organizations have helped encourage the NPS toward enhancing it's resource protection efforts. I am proud to have played a small part of this process.

Anyone wishing to place an article in The Resource Protection Ranger column, please contact me at 707-465-5081.

The Judiciary’s Role in Resource Protection
At a recent Resource Protection Course we sponsored here at Redwood National and State Parks, an attendee expressed frustration with magistrates and prosecutors. They stated that they really weren’t able to get the level of support from their US Attorney's Office in prosecuting cases and that, when they got to court, Magistrate Judges really didn’t do much when sentencing the poacher, looter, etc.

An instructor suggested that we enforcement officers need to direct energies to resolving this. He suggested that we meet with the US Attorney, the Chief Deputy USA and Magistrate Judges. At these meetings we need to explain why our parks exist and articulate clearly the effects resource depredation is having on the park, the system, the nation and future generations. He also stated that all USAs and some magistrates are required to obtain continuing education credits and that perhaps NPS rangers needs to try to address these groups at one of their continuing education sessions.

We could also coordinate our own session inviting them to come into the parks where they can experience the aura of the parks, meet with our rangers and possibly hold a social function afterward to allow enhanced communications on a personal level.

To deter violations the judicial branch of government must consider wildlife violations as serious offenses and not just traffic ticket type wrongdoing.
Judge Michaele Pitard Wynne

While unpacking some boxes at my home recently, I came across a copy of a speech that the late US Magistrate Judge Micheale Pitard Wynne gave at an international wildlife law enforcement conference. Judge Wynne was highly regarded by all who knew her. She along with USFWS Agents dealt with rampant migratory waterfowl poaching in the southern Louisiana area, among other things. Here are a few excerpts from her speech that blend in nicely with my article.

The Judge shares her thoughts on a wide range of sentencing-related matters which I hope you will find enlightening:

In order to deter violations the judicial branch of government must consider wildlife violations as serious offenses and not just traffic ticket type wrongdoing. If the offense is serious the offender must be required to stand in open court to answer the charge against him. A person who is required to stand in open court, outside his normal environment, and hear his name loudly proclaimed as versus the United States realizes he or she is in a serious situation. Personally appearing is an extremely important method of conveying that the Judiciary means business and that the United States has charged you with a violation against it's people. I have witnessed strong able-bodied men shake with fear and go red-faced with shame as the charges and maximum penalties are read to them.

In the event of a conviction, sentences should vary with the offense and with the offender. I, personally, do not believe that fines are very effective. The wealthy can afford to pay a fine without much problem and it is the family of the poor that directly suffer rather than the violator. Also, minimal fines send the wrong message, i.e. that wildlife infractions are minor.

In the spirit of education it is my general practice to have all violators view the wildlife film prepared by SA Dave Hall entitled 'Poachers to Preachers.' Numerous ‘outlaws’ are interviewed and tell their story of conversion and redemption.

Revocation of hunting and fishing privileges is another standard penalty. Failure to properly use a right (hunting) should result in the temporary forfeiture of that right. Hunters hate to lose their hunting privileges. One season sitting at home often is sufficient enough to make the sportsmen aware of the seriousness of the offense. Hunting during a restricted period will result in incarceration.

Community service often gives the violator the time to think about his inappropriate and illegal behavior. Community service renders a direct benefit to society at a reasonable cost to the offender. When community service is in the field of wildlife preservation, there is added benefit of education and reinforcement.

Confiscation of equipment and forfeiture of boats, guns, etc, often are an effective punishment. This punishment also sends a very loud and clear message to other hunters.

Incarceration is a proper sentence for serious offenses and repeat offenders. Innovative incarceration, such as weekend and holiday lock down, allows the violator to earn a living while causing him to lose some of the pleasures of life.

Sure, consistent, and fair consequences for disobedience appears to have a direct consequence on the frequency of disobedience. With the promise of swift and fair punishment regardless of social status or wealth, in the Eastern District of Louisiana, I have witnessed a reduction in serious offenses.

If we are to win the war (against poaching) we must commit to continual law enforcement and vigilance by well-funded, well equipped,
motivated and dedicated wildlife agents. We must continue to educate the public on the positive aspects of obedience to wildlife law and conservation. We must convince the sportsman that reasonable laws are necessary... Judges and prosecutors must treat wildlife offenses as serious. Law enforcement's positive role in the education of the judiciary is extremely important to keeping the judiciary conscious of the egregious nature of wildlife violation and to understand the serious natural consequences of the failure to respect wildlife.

Human nature being what it is, hunters will always have a tendency to violate game laws. Consequently society must protect itself and its environment by maintaining sufficient law enforcement presence.

Judge Wynne was a positive force in improving the protection of resources in Louisiana. If you are experiencing frustrations with your AUSAs or judiciary, make a suggestion to your supervisor that your park, sub-cluster and/or other public land management agencies meet and discuss ways to improve relationships with the US Attorney's Office and the US Magistrate Judges and the District Judges. If you are putting together a training session for them, contact me and I will provide you a copy of SA Dave Hall's "Poachers to Preachers."

Seasonal PD In Final Draft Form
by George Durkee, Seasonal Rep.

And what rough beast, its hour come round at last,
Slouches toward Bethlehem to be born?
W.B. Yeats, The Second Coming

Well, it's hard to tell you what shape this rough beast of a PD is at last taking: somewhere between Yeats' "lion body and the head of a man...". But I digress. In mid-September, WASO sent out final draft position descriptions that it hopes to eventually implement as the mandatory PDs for all seasonal law enforcement, interpreter and general ranger positions. Bill Sanders and others at WASO should be complemented for sticking with this even when support has been minimal.

The PD as proposed is a GS-5 or a GS-7. The critical word here is or. Because this is not a 'career ladder' progression, under OPM rules, it can't be written as a 5 to 7 progression. The position is, legally and ideally, guided by the duties performed, not the experience of the ranger filling that position. This also means that if a park creates a GS-7 position from an previous GS-5, seasonals must apply for it competitively--even the "incumbent." Seasonals are advised to check with their park to see if there is any chance their current position might be upgraded for the '97 season--if so, they should apply for it at the GS-7 level.

The problem, of course, will be ensuring that parks write the positions according to the duties of that position and not by the money available. The opportunities for abuse are great. Under this proposal, supervisors and managers will be required to enforce the strictures of the PD: telling a GS-5 s/he must not perform duties at the 7 level.

What are the odds?

What this means from a practical point, is that seasonals and the Lodge will have to closely monitor the implementation. We will have to demand audits where the duties clearly exceed the GS-5 level (where the PD is assigned as a 5) and ensure that supervisors supervise.

For law enforcement, the controlling factors for the GS-7 are increased complexity of duties, knowledge of the duties, advanced skills and independence of supervision. A GS-5 would "assist" under close supervision. A GS-7 would, for instance, "monitor and inspect," "inform" (vs. "advise") and perform day to day duties with little supervision, making decisions based on experience and training rather than specific rules and guidelines. The theory is that GS-5s would be much more closely guided and directed on a day to day basis, with little room for personal discretion in interpreting duties. Although a GS-9 PD is allowed, it is not a part of this package and must be written by individual parks where warranted (it requires greater resource education responsibilities and a FLETC commission).

Serious Weakness

The Lodge sees an extremely serious weakness in the PD: the lack of 6(c) designating language. This means that the positions will not be eligible for the higher law enforcement pay rate. It means that seasonals will not be able to use their time in seasonal LE positions to later meet the primary coverage requirements for secondary positions (3 years) under 6(c) retirement provisions. It means they cannot use the time as an LE seasonal credited to extend the maximum entry age for applying to a permanent 6(c) position (age 37). These proposed Position Descriptions have been stripped of any language that would qualify them for 6(c) coverage.

The original legislation that designated federal officers as qualifying for special law enforcement retirement and differential LE pay stated that it was the purpose of the Act to create and maintain a "young and vigorous workforce" because of the physical demands of the job. Seasonals now handle a huge amount of the rigorous field work during peak season. If these PDs are not pre-designated for 6(c) coverage, the Lodge and individual rangers will have to go through the exact same process to gain that coverage that we did with permanents: filing grievances and law suits. As before, we will probably win, but it will be a long and costly process.

It is therefore critical that all Lodge members--seasonal and permanent and especially those members in supervisory positions--write Bill Sanders at WASO to urge that these PDs be pre-designated as 6(c) positions.

Timetable

WASO hopes these PDs will be available for parks to use by this summer. The bad news is that they will not be required to be used--parks can still use existing PDs. The hope is that by summer of '98 they will be mandatory. Once that happens, it will be easier to require audits of those GS-5 rangers being required, "suffered or permitted" to do GS-7 work.

We hope, of course, that enlightened managers will do what they have to do to adopt the GS-7 PD where the duties of the position require it. Several parks have, apparently, already upgraded some GS-5 LE
positions using the new PDs. We hope to have more specifics on how and where this has been done in the next newsletter (as well as the e-mail version).

There is no additional money forthcoming to cover this, as there was when Ranger Careers was implemented for permanents. It is likely, then, that you, your Lodge, and, we hope, your union will have to be the ones to ensure that PDs are written to reflect the actual work required and not the money available.

This is yet another less-than-subtle ad for both the FOP and unionization.

**These proposed Position Descriptions have been stripped of any language that would qualify them for 6(c) coverage.**

**Application Process**

On the bright side, the application process being proposed will ensure that actual NPS and/or resource experience counts for a lot. WASO is proposing to parks that they go through the OPM MARS system (MARS is either an acronym or the planet the person who designed it is from. Heh, heh. Just a little joke...). If parks use this system, it will allow seasonals to apply to as many positions as they want and to apply for specific advertised positions. OPM is also continually upgrading their system, so announcements will be widely posted (including, we hope, available via the FOP) and applications can also be submitted electronically and by phone. To confuse matters, though, the Seasonal Employment Unit will still be in business and will continue to limit applications to two parks and two positions. One hopes that competition and economics will decide a winner before the situation becomes too chaotic.

Ideally, allowing seasonals to apply to any park and position will create a healthy competition among parks for seasonals. Managers might feel compelled to offer the higher GS-7 grade, better housing and whatever other 'perks' they can to use to attract scarce, experienced commissioned

seasonals. (“And dig this: every seasonal ranger who accepts RIGHT NOW gets a FREE hot tub, personally installed by the Superintendent.” I like it.) The down side here is that once an offer is made and accepted, the seasonal is, theoretically, not allowed to accept another position (nor another manager to offer one), unless at a higher grade. The hope here, though, is that everything is negotiable on a personal basis; that managers will recognize that a climbing ranger will not be tremendously happy at Gettysburg—accepted because it was the first offered.

So, we are once again depending on the kindness of (Chief) rangers and other managers to implement these positions in a fair way. Most GS-5 LE rangers today perform at the proposed GS-7 level. Most managers expect seasonal law enforcement rangers to act with a huge degree of discretion and latitude: to use their knowledge, skills and experience to get through a day, usually with little direct supervision. We—individual rangers and the Lodge—must and will use every means to ensure that the higher grade is assigned wherever called for.

As individuals, seasonals have to start asking their supervisors and managers what their intentions are. We should not underestimate the moral force of our arguments: it is long past time for parks to pay for the experience and skills they are getting. This was an important part of the exact same argument the Lodge used to get permanent 6(c) status and upgraded 3 years ago. Likewise, supervisors and managers must remember (and be reminded of) their roots as seasonals, as well as the practical matter of continuing to attract the best candidates.

One group appears to have its own realm of experience, that is the experience of women employed as law enforcement officers within the National Park Service. A number of women are having difficulty, frequently to the point of impossibility, in securing equitable duty task assignments, duty hours, office space, firearms qualifications, training, equipment, evaluations, communication of information, response to EO actions filed, and other situations. When they pursue equality in such situations, they may find themselves plagued with reprisals.

Female officers are often isolated, in that they are working in areas without other women. They may be unaware of other women’s struggles to obtain fair treatment, nor of their failures or successes. They may be unaware of resources within the NPS as well as outside the NPS.

I am requesting that the FOP address this issue. Specifically, at this time I am asking the FOP to provide a communication link for this constituency by (1) providing a column in The Protection Ranger for disbursing information on the issue and (2) allowing the FOP’s 800 number to be utilized as a central, neutral number that can be called by anyone seeking to relate their instance of gender discrimination, seeking help, or seeking contact with others who have experienced gender discrimination.

I am willing to use my name, phone number, and address, as an alternate source.

Thank you,

Helen Phillips

Editor’s Note: As Ed Clark notes in his article, Deborah Girard, of Delaware Water Gap NRA will coordinate this. We encourage any female LE ranger who is experiencing any of the problems Helen describes to call Deborah or the Lodge’s 800 number. Secretary Randall Kendrick maintains and answers this number. All information called into the Lodge is kept strictly confidential. Any action taken is done only in consultation with the ranger affected. As Helen notes, you may call her as well.
Announcements to the Troops

Seasonal LE Academy
Bill Orr, Director of the Seasonal Ranger Academy at Santa Rosa, CA, wants everyone to know there's still space at the next session there. The session starts January 6, 1997 and graduates February 21. Please pass this on to any interested seasonals.

Contact Bill at:
Santa Rosa Training Center
609 Tomales Rd.
Petaluma, CA 94952
707-776-0721

Lodge Web Site
Along with the rest of the world, the Lodge now has a site on the Web: http://home.earthlink.net/~bikeranger
If you have information for or about rangers you feel should be posted there, contact Duane Buck at: bikeranger@earthlink.net

Sign Up for the ePro!
We are also starting to send out an e-mail version of the Protection Ranger. It will be sent out more often and contain more time-sensitive information. Please send your e-mail address to Joel Musick, who's editing this electronic version:
yogichaser@aol.com

Ooops!
A paragraph of attorney John Mahoney's article on the USRA union petition was inadvertently left out in the last issue. The missing paragraph is as follows:

So far, the NPS has opposed the creation of USRA bargaining unit. Specifically, NPS has made several arguments to the FLRA in an effort to defeat the USRA election petitions. First, NPS has argued that the number of showing of interest cards we have filed with the FLRA is not sufficient to meet the 30% of the eligible employees in the proposed unit standard needed to force an election. In order to overcome that argument before the FLRA, it is very important that you continue to send us show of interest cards, so that all eligible employees interested in representation by the USRA have sent us their show of interest cards before December 5, 1996!

Notwithstanding, even if you cannot get your show of interest cards in by that date, you should still send us your cards as soon as possible after that date. Keep in mind, however, that any cards received after December 5, 1996, may not be counted by the FLRA.

Calibre Press Offers Free e-mail Newsletter
Quoted from the last Calibre Press Catalog:
The "Street Survival Newsline" is an important and popular FREE service for law enforcement personnel from Calibre Press. At least twice every week, we send you up-to-the-minute written reports from our research staff on new survival tactics, legal developments, police products, offender weaponry and other issues vital to safety-conscious officers. These dispatches go directly from our offices to your computer e-mailbox at home or work.

This information is already saving lives. So sign up and keep up--today!

E-mail the following information to:
Newsline@CalibrePres.com
Full Name
Home Street Address
Home Phone
Rank
Department
Department Address
Department Phone
Professional Specialties, if any.

This is for Law Enforcement officers only.
All personal information, including your e-mail address, is kept strictly confidential.

The Protection Ranger
The Lodge thanks everyone who contributed to this issue of the Protection Ranger. Remember: we're always looking for articles on any aspect of rangering you think would be of interest to your colleagues--resource issues, safety, 'how to,' problems you're having (we consider 'anonymous' bylines, but must know who you are), and anything for the betterment of our skills, our profession and the Service.

For article ideas, contact any Board member, the 800 number (Randall Kendrick) or me, your kindly editor:

George Durkee
23807 Quaker Ln.
Twain Harte, CA 95383
209-586-1652
gdurkee@sonnet.com

OLIN-WINCHESTER
Law Enforcement Marketing
427 N. Shamrock Street
East Alton, Illinois 62024

Contact: Mary A. Stanley
Phone: (618) 258-3752
Fax: (618) 258-3393

Commitment to Law Enforcement

LODGE LOGO ITEMS
These items help finance Lodge projects:

Coffee Mug: 10 1/2 oz., Lt. Gray ceramic mug with Green, US Park Rangers Lodge Logo - $5.00

Drink Can Holder: Dark Green, barrel shaped can holder with Gold Ink, US Park Rangers Lodge Logo. Fits standard 1 2-ounce cans, and is made of tear-proof Tuffoam® insulation from Coleman® - $5.00

Add $5.50 shipping on orders under $50. VA residents add 4.5% sales tax. Send your orders to the Lodge Address.

DO YOUR CHRISTMAS SHOPPING EARLY
Lodge Dues and E-Z Pay Plan

Lodge dues are $52/year (just $2/pay period using Direct Deposit). To make it easier for you to pay and the Lodge to collect, we hope you'll fill out a Form 1199: the Direct Deposit Sign-Up Form, available from your park's fiscal office.

You are only allowed 2 such allotments from your paycheck, so if you have that many already, you'll have to send us a check for the full amount. Otherwise fill out the Form 1199 as follows:

Section 1:
Block C: Write in your Social Security number.
Block D: Check the Checking box.
Block E: 090220704401
Block F: Check Other FOP Dues
Block G: Type: New. Amount: $2.00

Section 2:
Agency Name USDI-National Park Service
Agency Address Your Park's HQ Address

Section 3:
Name and Address of Financial Institution:

Patrick Henry National Bank
POB 1776
Bassett, VA 24055
Routing Number
0514-0395-7

Sign with your name and Date (Section 1) then send to the Lodge at POB 151, Fancy Gap, VA 24328. We'll have our bank sign it and then we will send it to NPS payroll. We realize this is, initially, a little more complicated. Ultimately though, it makes your dues paying a little more painless and our cash flow a lot steadier. We hope you'll choose this option.

Your dues cover a legal assistance fund available to all members. Members of the Lodge will automatically be entitled to initial and free legal advice from Passman and Kaplan for Service related problems. The Lodge may cover additional legal services for a member. Your dues are used extensively to cover legal expenses involved in questions or challenges to LE retirement cases of national importance, LE Backpay claims, FLSA coverage and overtime disputes, as well as individual assistance to members in need. Thank you for maintaining your membership in the US Park Rangers Lodge.

U.S. Park Rangers Lodge
Fraternal Order of Police
POB 151
Fancy Gap, VA 24328

Application for Membership

I, the undersigned, a full-time regularly employed law enforcement officer, do hereby make application for active membership in the U.S. Park Rangers Lodge, FOP. If my membership should be revoked or discontinued for any cause other than retirement while in good standing, I do hereby agree to return to the Lodge my membership card and other material bearing the FOP emblem.

Name: ____________________________
Signature: _________________________
Address: __________________________
City: ______________________________
State: _________________ ZIP: __________
DOB (required): ___________________

☐ Permanent Rangers: $52/year (or $2/pay period using Form 1199 Payroll Deduction).
☐ Seasonals: $35/year.

Both seasonal and permanent members are entitled to coverage from our Legal Assistance Fund for Service related problems.

☐ Associate (non-Commissioned) Membership (newsletter only): $35/year.

☐ Renewal

Enclose a copy of your Commission (new members only).

NPS Area: __________________________

Mail To: FOP Lodge, POB 151, Fancy Gap, VA 24328.